

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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In Re: PHARMACEUTICAL INDUSTRY	:	MDL NO. 1456
AVERAGE WHOLESALE PRICE	:	
LITIGATION	:	Master File No. 01-CV-12257-PBS
	:	
THIS DOCUMENT RELATES TO:	:	Judge Patti B. Saris
ALL CLASS ACTIONS	:	
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**DEY, INC.'S CONSENT MOTION FOR AN
EXTENSION OF TIME TO OPPOSE NON-PARTY TUFTS ASSOCIATED
HEALTH PLANS, INC.'S MOTION FOR PROTECTIVE ORDER**

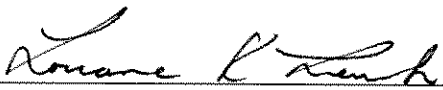
Dey, Inc. ("Dey") hereby moves, with the consent of Tufts Associated Health Plans, Inc. ("Tufts"), for an extension of time to December 6, 2005 to oppose Tufts' Motion for Protective Order as that motion relates to the subpoena served by Dey on Tufts on November 9, 2005 (Docket No. 1910). The parties have been discussing a resolution of this dispute and believe such resolution may be obtained within the period of the extension. No further extensions of time are anticipated.

Accordingly, Dey hereby moves for entry of the proposed scheduling order attached hereto.

Dated: November 29, 2005

Respectfully submitted,

KELLEY DRYE & WARREN LLP

By: 
Paul F. Doyle (BBO # 133460)
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Attorneys for Dey, Inc.

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UNDER Master File No. 01-CV-12257-PBS	:	
-----	X	

[PROPOSED] SCHEDULING ORDER

IT IS HEREBY ORDERED that Dey, Inc. shall be granted an extension to
December 6, 2005 to file any opposition to non-party Tufts Associated Health Plans, Inc.'s
Motion for Protective Order

Dated: November ____, 2005

Hon. Marianne B. Bowler
United States Magistrate Judge

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for Tufts Associated Health Plans, Inc. assents to this motion.


Lorianne K. Trewick

CERTIFICATE OF SERVICE

I certify that on November 29, 2005, a true and correct copy of the foregoing Consent Motion for an Extension of Time to Oppose non-party Tufts Associated Health Plans, Inc.'s Motion for Protective Order was served on counsel for Tufts by UPS, and all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2 by sending a copy to LexisNexis File & Serve for posting and notification to all parties.


Lorianne K. Trewick